

AO 88A (Rev. 06/09) Subpoena to Testify at a Deposition in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Delaware

CEQUINT INC.

Plaintiff

v.

APPLE INC.

Defendant

Civil Action No. 11-cv-01224-SLR

(If the action is pending in another district, state where:

District of Delaware)

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Agere Systems, LLC

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization that is *not* a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

See Schedule A.

Place: Potter Anderson & Corroon LLP, 1313 North Market Street, Wilmington, Delaware 19801

Date and Time:

11/01/2012 9:00 am

The deposition will be recorded by this method: Stenographically and by video recording.

☒ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

Please produce the documents listed on Schedule A by October 3, 2012 at 9:00 am

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 09/12/2012

CLERK OF COURT

OR

/s/ David E. Moore

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Apple Inc.

, who issues or requests this subpoena, are:
David E. Moore; Potter Anderson & Corroon LLP, 1313 North Market Street, Wilmington, Delaware 19801;
dmoore@potteranderson.com; Tel: (302) 984-6000

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 11-cv-01224-SLR

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* Agere Systems, LLC
was received by me on *(date)* 09/12/2012 .

☒ I served the subpoena by delivering a copy to the named person as follows: Joanne Lamendola,
Executive Assistant - Law Department, authorized to accept service of process on behalf of Agere Systems, Inc.
at 4:10 p.m. on *(date)* 09/12/2012 ; or

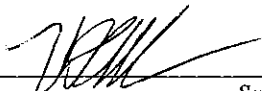
☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ 135.00 .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 09/12/2012



Server's signature

Kevin Reinbold- Process Server

Printed name and title

230 North Market Street
Wilmington, DE 19801

Server's address

Additional information regarding attempted service, etc: